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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/867,630	05/31/2001	Katsuhiko Ueki	209257US2SRD	7672

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EXAMINER

WOOD, WILLIAM H

ART UNIT	PAPER NUMBER
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2124

DATE MAILED: 10/07/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

09/867,630

Applicant(s)

UEKI ET AL

Examiner

William H. Wood

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 31 May 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 31 May 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
- 1) ☒ Certified copies of the priority documents have been received.
  - 2) ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - 3) ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

### DETAILED ACTION

Claims 1-20 are pending and have been examined.

#### ***Drawings***

1. The drawings submitted 31 May 2001 were approved.

#### ***Claim Rejections - 35 USC § 112***

2. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

3. Claims 1-20 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention. *"Partial log creating device configured to create a plurality of partial logs from the inputted log"* (claim 1; also substantially claims 8 and 17-20) is not adequately described in the specification. *"Specifying begin and end events in said partial log"* (claim 2 and 11) is not adequately described in the specification. *"[A] master log creating device configured to input a source program of said target program to create a master log by expanding the source program"* (claim 8, markings added; also claims 18 and 20) is not adequately described in the specification.
4. Claims 1-20 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the enablement requirement. The claim(s) contains subject matter which

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was not described in the specification in such a way as to enable one skilled in the art to which it pertains, or with which it is most nearly connected, to make and/or use the invention. *"Partial log creating device configured to create a plurality of partial logs from the inputted log"* (claim 1; also substantially claims 8 and 17-20) is not enabled.

*"[S]pecifying begin and end events in said partial log"* (claim 2 and 11) is not enabled.

*"[A] master log creating device configured to input a source program of said target program to create a master log by expanding the source program"* (claim 8, markings added; also claims 18 and 20) is not enabled.

5. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

6. Claims 5 and 11 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 5 recites the limitation "the logarithm of respective feature values" in line 4. There is insufficient antecedent basis for this limitation in the claim. Claim 11 recites the limitation "specify the extraction rule" in line 3. There is insufficient antecedent basis for this limitation in the claim.

### ***Claim Rejections - 35 USC § 102***

7. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

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A person shall be entitled to a patent unless –

(a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

8. Claims 1, 7-8 and 16-20 are rejected under 35 U.S.C. 102(a) as being anticipated by **Keyser** et al. (USPN 5,928,369).

Claims 1, 8 and 17-20

**Keyser** disclosed a log comparison debug support system which inputs a log in which a series of events occurred as a result of the execution of a target program are recorded, and supports debugging by performing log comparison (*column 2, lines 14-21*), the system comprising:

- ♦ a partial log creating device configured to create a plurality of partial logs from the inputted log (*column 6, lines 10-25*);
- ♦ a master log creating device configured to create a master log by concatenating the partial logs (*column 6, line 63 to column 7, line 3*);
- ♦ a normalized log creating device configured to create normalized logs by normalizing said partial logs by use of the master log serving as a normalization reference (*column 7, lines 55-61; conversion to standard format*);
- ♦ a feature value computing device configured to compute feature values representing the degree of feature of the occurrence and nonoccurrence of

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said events for each of the normalized logs created by said normalized log creating device (*column 9, lines 15-20; column 10, lines 40-43*); and

- ♦ a similarity computing device configured to compute, in a combination of a specific partial log and another partial log, the similarity between these partial logs by performing a specific operation base on said feature values (*column 9, lines 31-33; column 10, lines 45-47*).

The limitations of claims 8 and 17-20 are substantially the same as the limitations of system claim 1 and as such are rejected in the same manner.

Claims 7 and 16

**Keyser** disclosed the system of claim 1 (*or claim 8*), further comprising:

- ♦ a specifying device, configured to specify one of said partial logs (*column 2, lines 14-21*);
- ♦ a selective device, coupled between said similarity computing device and the specifying device, configured to select another partial log which is similar to said specified log according to the similarity computed by said similarity computing device (*column 2, lines 21-23 and lines 60-65*).

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**Correspondence Information**

Any inquiry concerning this communication or earlier communications from the examiner should be directed to William H. Wood whose telephone number is (703)305-3305. The examiner can normally be reached 7:30am - 5:00pm Monday thru Thursday and 7:30am - 4:00pm every other Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kakali Chaki can be reached on (703)305-9662. The fax phone numbers for the organization where this application or proceeding is assigned are (703)746-7239 for regular communications and (703)746-7238 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703)305-3900.

William H. Wood  
September 28, 2004

*Kakali Chaki*

**KAKALI CHAKI  
SUPERVISORY PATENT EXAMINER  
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